

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

MARY K. COOPER

PETITIONER

V.

NO. 1:10CV218-M-D

MARGARET BINGHAM, et al.

RESPONDENTS

FINAL JUDGMENT

The Petitioner filed this matter pursuant to 28 U.S.C. § 2254 challenging his state court conviction and sentence. Having been prompted by the State's motion to dismiss, Magistrate Judge Jerry Davis recommended that the petition be dismissed with prejudice as untimely. May 3, 2011, the Petitioner filed Objections to the Report and Recommendation.

The court finds that the Petitioner's arguments are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

(1) Petitioner's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation (docket entry 20) is APPROVED and ADOPTED as the opinion of this court; and

(3) the Petition is DISMISSED with prejudice; and

(4) this matter is CLOSED.

SO ORDERED, this the 12th day of May, 2011.

/s/ MICHAEL P. MILLS

CHIEF JUDGE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF MISSISSIPPI